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March 11, 2010

Via Electronic Submission

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Notice of Oral *Ex Parte* Communication
GN Docket Nos. 09-47, 09-51 and 09-137
WT Docket No. 06-150
PS Docket No. 06-229**

Dear Ms. Dortch:

This letter is to notify you that on March 9, 2010, Northrop Grumman Information Systems (“Northrop Grumman”) representatives Edward J. Dempsey, Manager, Wireless and Public Safety Solutions, Ajay Gupta, Engineer, Communications Systems, Thomas S. Afferton, Director of Strategy and Technology, Commercial State and Local Programs, and I, along with William J. Andrie, Jr., Telecom and Spectrum Strategy Vice President of TASC, Inc., participated in a telephone conference with representatives of the Commission’s National Broadband Plan, Office of Engineering and Technology, and Public Safety and Homeland Security Bureau being copied on this letter as shown below.

This discussion was at the request of the Commission’s staff, to answer their questions regarding the New York City Wireless Network (NYCWiN) citywide mission-critical broadband mobile wireless system for public safety, which was designed and built by Northrop Grumman. The conversation covered the following points:

- Operational details and performance parameters of the NYCWiN system derived from actual public safety operations, and future usage and network loading projections based on these actual results and trends in usage.
- The application of this data to public safety requirements and spectrum needs, now and in the future, for the operation of such a network in the 700 MHz band.

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- Based on this actual data and derived analyses, the potential or likelihood that any foreseeable regime of public safety “roaming and priority access” on commercial 700 MHz networks, as suggested by the Commission in recent statements,¹ would not be an adequate substitute for direct public safety access to 20 MHz of spectrum (as proposed by the public safety community in seeking the 700 MHz D Block spectrum) to meet public safety needs for mission-critical grade mobile broadband wireless service.

All of the NYCWiN system data and projections discussed by Northrop Grumman are on record with the Commission in a filing by the City of New York in WT Docket No. 06-150 and PS Docket No. 06-229.²

Although this conversation was within the Sunshine Agenda period prior to a scheduled Commission meeting involving some of the subject matter, the Commission has waived the Sunshine prohibition on *ex parte* communication under the Commission’s Rules.³

If you have any questions regarding this notice, please do not hesitate to contact me.

Sincerely,



cc:

Stagg Newman, Chief Technologist, National Broadband Plan

Thomas Peha, FCC Chief Technologist

Walter Johnston, Chief, Electromagnetic Compatibility Division, Office of Engineering and Technology

Pat Amodio, Public Safety and Homeland Security Bureau

¹ *Prepared Remarks, Chairman Julius Genachowski, Federal Communications Commission, Public Safety Briefing*, released February 25, 2010, at 3. *See also* Statement of James Arden Barnett, Jr., Chief, Public Safety and Homeland Security Bureau, released February 25, 2010, at 7-8.

² *See 700 MHz Broadband Public Safety Applications And Spectrum Requirements* filed by the City of New York in WT Docket No. 06-150 and PS Docket No. 06-229 on February 23, 2010.

³ 47 C.F.R. §§ 1.1200(a), 1.1203; *Public Notice, FCC to Hold Open Commission Meeting Tuesday, March 16, 2010*, released March 9, 2010.